UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1995/154
28 February 1995

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-first session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Letter dated 22 February 1995 from the Ambassador of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

With reference to the address made by the representative of Croatia at the fifty-first session of the United Nations Commission on Human Rights on 20 February 1995 under item 10 of the agenda, may I point to the fact that the reported claims of alleged lack of willingness by the Government of the Federal Republic of Yugoslavia to cooperate in solving the issue of missing persons in the territory of the former Yugoslavia are totally unfounded, particularly when it comes to the allegation that the Yugoslav Government has maintained a "veil of silence and mystery".

The facts speak for themselves: since the very emergence of this problem, the Yugoslav authorities, in cooperation with the representatives of Croatia, the International Committee of the Red Cross, and with other humanitarian organizations have been actively committed to its adequate resolution, particularly so in view of the fact that it is a very severe humanitarian problem indeed.

To this aim, the Yugoslav Government has set up a special State Commission for Humanitarian Questions and Missing Persons, which is, inter alia, charged with cooperating with the Croatian authorities in collecting and exchanging information on missing persons, to arrange contacts with their families, to set a method of work, and to undertake all that might be conducive to establishing facts on the persons whom both parties, the Yugoslav and the Croatian party, are tracing.

The address by the representative of Croatia is in particular incomprehensible in view of the fact that the latest meeting between the representatives of the State Commissions of the Federal Republic of Yugoslavia and Croatia was held in Belgrade five days ago, on 15 February 1995. The minutes of this meeting were duly signed by Mr. Ivan Grujic, the Chairman of the Commission for Tracing Missing Persons and Detainees of the Republic of Croatia, and Mr. Maksim Korac, the Secretary to the Commission of the Government of the Federal Republic of Yugoslavia for Humanitarian Questions and Missing Persons.

The Croatian party submitted to the Yugoslav party a list of missing persons to be traced (2,847 persons), a list of persons concerning whom material evidence exists that they have allegedly been detained, and a list of persons who have allegedly been buried in Belgrade.

The Yugoslav party, for its part, submitted the following lists: a list of missing persons to be traced in the Republic of Croatia (detained, arrested, missing or killed - 934 persons), a list of subsequently recorded persons for tracing (14 persons), a list of detained or arrested persons for whom there is evidence that they were or are still detained in the prisons of the Republic of Croatia (61 persons), a list of missing persons to be traced by means of official forms, and of tracings initiated concerning the case of Paulin Dvor (93 plus 31 persons), a list of persons who have been found on the basis of tracings by means of official forms (234 persons), a list of missing persons to be traced by means of classical forms (264 persons) and a list of persons whose mortal remains are requested (12 persons).

The Yugoslav party submitted also its documentation on the pilot Slobodan Medic and the group of soldiers detained at Donje Kolibe on 2 May 1992.

Both parties agreed that the lists submitted should be analysed and the documentation and data collected, and that the findings of the two parties were to be exchanged at their next joint meeting, due not later than 30 days as of that meeting.

At the same meeting, the Red Cross and Red Crescent Tracing Services agreed on the methodology of work to be pursued: to use official forms when requesting tracing of missing persons, that all the requests for tracing which one party claims to have forwarded, and the other not to have received, to be forwarded again, etc.

Mr. Chairman, I must recall again that the Yugoslav Government has always been against the politicization of this severe humanitarian problem. We view that any abusing of human tragedies for political purposes, which is, unfortunately, what the representative of Croatia did at the session of the Commission on Human Rights, is detrimental to the efforts of all those who are sincerely concerned with the early solution of this problem.

With regard to the allegations of the representative of Croatia, whereby the Federal Republic of Yugoslavia "is refusing the visit of the representative of the working group on enforced disappearances", I must recall that the Yugoslav Government had its reservations on entrusting this

mandate to Mr. Nowak, a member of the Working Group on Enforced or Involuntary Disappearances. As I have already informed you in my letter of 14 February 1995, which you were requested to circulate at the session of the Commission, our suspicions, unfortunately, were well placed, since Mr. Nowak has acted explicitly contrary to his own mandate.

On this occasion, again, I wish to reiterate the readiness of the Yugoslav authorities to make the utmost efforts in the future as well, aimed at resolving the problems of missing persons, and I would request you kindly to have this letter circulated as an official document of the current session of the United Nations Commission on Human Rights under item No. 10.

(Signed) Vladimir Pavicevic